



ATTORNEYS AT LAW  
[nmllplaw.com](http://nmllplaw.com)

Ira S. Nesenoff  
Andrew T. Miltenberg  

---

Stuart Bernstein  
Tara J. Davis  
Gabrielle M. Vinci

Barbara H. Trapasso  
Adrienne D. Levy  
Regina M. Federico  
Ben Goldstein  
Amy Zamir  
Kristen Mohr  
Helen Setton

Philip A. Byler  
Diana R. Warshow  
Kara L. Gorycki  
Susan E. Stark  
*Senior Litigation Counsel*  
  
Marybeth Sydor  
*Title IX Consultant*

May 9, 2023

**VIA ECF AND EMAIL**

The Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007

**MEMO ENDORSED**

**Re: *Doe v. New York University*, No 1:23-cv-01307  
Request to Adjourn Pre-Motion Conference**

Dear Judge Failla:

We represent Plaintiff John Doe (“Plaintiff”) in the above-captioned action. We write with Defendants’ consent to request a brief adjournment of the pre-motion conference scheduled for May 31, 2023 at 10:30 a.m. ECF No. 27.

The Court scheduled an initial pre-trial conference for May 4, 2023. ECF No. 13. Defendants, with Plaintiff’s consent, filed a letter motion to adjourn the date, which the Court granted on March 14, 2023. ECF No. 19. On March 31, 2023, the Court adjourned the initial pre-trial conference date to May 31, 2023. ECF No. 23. On April 25, 2023, after reviewing the parties’ submissions regarding Defendants’ proposed motion to dismiss, the Court converted the initial pre-trial conference scheduled for May 31, 2023 to a pre-motion conference. ECF No. 27. This is the parties’ first request for an adjournment of the pre-motion conference.

Plaintiff requests an adjournment because Ms. Gorycki must appear in state court at 11:00 a.m. on May 31 for oral argument regarding the Defendant’s summary judgment motion in *Lembo v. Rosania*, Index No. 655076/2016. Mr. Miltenberg also has a conflicting court appearance in New Jersey on May 31.

363 Seventh Avenue | 5th Floor | New York, NY | 10001 | T: 212.736.4500

101 Federal Street | 19th Floor | Boston, MA | 02110 | T: 617.209.2188

4 Palo Alto Square | 3000 El Camino Real | Suite 200 | Palo Alto, CA | 94306 | T: 650.209.7400

The parties have conferred about this matter and are available to participate in a rescheduled pre-motion conference on June 1, June 2 or June 5, between 2:00 p.m. and 4:00 p.m.

Respectfully Submitted,

/s/ Kara L. Gorycki

Kara L. Gorycki

cc: Counsel of Record

Application GRANTED. Pursuant to the above and the Court's subsequent email discussion with counsel in this matter, the pre-motion conference currently scheduled for May 31, 2023, is hereby rescheduled to **May 17, 2023, at 4:00 p.m.** This conference will proceed telephonically. The dial-in information is as follows: At 4:00 p.m. the parties shall call **(888) 363-4749** and enter access code **5123533**. Please note, the conference will not be available prior to 4:00 p.m.

The Clerk of Court is directed to terminate the pending motion at docket number 28.

Dated: May 9, 2023  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE

363 Seventh Avenue | 5th Floor | New York, NY | 10001 | T: 212.736.4500

101 Federal Street | 19th Floor | Boston, MA | 02110 | T: 617.209.2188

4 Palo Alto Square | 3000 El Camino Real | Suite 200 | Palo Alto, CA | 94306 | T: 650.209.7400